

or country, we are confident we will get our merchandise, and they are confident they will get paid.¹⁰

Shakespeare may have advised us to get rid of all the lawyers, but he was a playwright, not an economist. The reality is that we all complain about lawyers until we have been wronged, at which point we run out and hire the best one we can find. Government enforces the rules in a reasonably fair and efficient manner. Is it perfect? No. But rather than singing the praises of the American justice system, let me simply provide a counterexample from India. Abdul Waheed filed a lawsuit against his neighbor, a milk merchant named Mohammad Nanhe, who had built several drains at the edge of his property that emptied into Mr. Waheed's front yard. Mr. Waheed did not like the water draining onto his property, in part because he had hoped to add a third room to his cement house and he was worried that the drains would create a seepage problem. So he sued. The case came to trial in June 2000 in Moradabad, a city near New Delhi.¹¹

There is one major complication with this civil dispute: The case was filed thirty-nine years ago; Mr. Waheed is dead and so is Mr. Nanhe. (Their relatives have inherited the case.) By one calculation, if no new cases were filed in India, it would still take 324 years to clear all the existing cases from the docket. These are not just civil cases. In late 1999, a seventy-five-year-old man was released from a Calcutta jail after waiting thirty-seven years to be tried on murder charges. He was released because the witnesses and investigating officer were all dead. (A judge had declared him mentally incompetent to stand trial in 1963 but the action was somehow lost.) *Bear in mind that by developing world standards, India has relatively good government institutions.* In Somalia, these kinds of disputes are not resolved in the courts.